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PATENT
Attorney Docket No. 20496-474

APPLICANT(S): Pampel CONFIRMATION NO. 6861
SERIAL NO.: 10/521,980 GROUP NO.: 3725
FILING DATE: September 12, 2005 EXAMINER: Dmitry Suhol
TITLE: Dynamic Thickness Correction

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO RECONSIDER DENIAL OF ENTRY OF AMENDMENT UNDER

37 C.F.R. § 1.312, OR IN THE ALTERNATIVE, A PETITION UNDER

37 C.F.R. § 1.182 TO ENTER AN AMENDMENT UNDER 37 C.F.R. § 1.312

Applicant requests that the enclosed Revised 37 C.F.R. § 1.312 Amendment be entered. On September 20, 2006, a Notice of Allowance in the above-referenced application was mailed from the U.S. Patent Office. Applicants filed a 37 C.F.R. § 1.312 amendment on November 2, 2006 to correct some typographical errors in the specification, to reduce the word count in the abstract, and to include a numerical reference to a part described in the specification but not labeled in FIG. 3. On December 7, 2006, Applicant filed the issue fee mindful that the three-month non-extendable deadline was within the following two weeks.

Applicant received Examiner's Response to Rule 312 Communication, the day after payment of the issue fee. The Examiner decided not to enter Applicant's 37 C.F.R. § 1.312 Amendment filed on November 2, 2006 for matters of form and not substance. Specifically, the Examiner stated that the amendment was not proper because "Amendments to the abstract/replacement abstract should appear on a separate page from the rest of the amendments. Changes/amendments to the specification need to refer to the most current submitted specification and not to the published application as the two may be different and not readily available. Changes to the drawings appear to be informal and penciled in."

Request to Reconsider
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The Examiner never contacted Applicant's attorney prior to issuing the denial as requested by the Applicant. In addition, the Examiner stated during a telephone conference on December 8, 2006, that he would have entered the 37 C.F.R. § 1.312 Amendment if it had been in the correct format. The Examiner's supervisor, Lowell A. Larson, stated that the 37 C.F.R. § 1.312 Amendment should be entered and suggested filing a request to Renew the 37 C.F.R. § 1.312 Amendment together with a copy of the Amendment in the correct format.

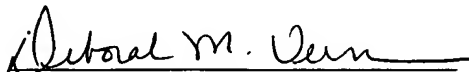
Applicant encloses a Revised 37 C.F.R. § 1.312 Amendment. Applicant does not believe a fee is required in order to have the Revised 37 C.F.R. § 1.312 Amendment considered and entered prior to issuance. In the event that Applicant is mistaken or is required to file a Petition for Reconsideration before entry, please consider this paper a Petition for Reconsideration under 37 C.F.R. § 1.182. The Commissioner is hereby authorized to charge any necessary fee, including a petition fee under 37 C.F.R. § 1.182, to Attorney's Deposit Account No. 16-2500.

If there are any questions regarding this matter, the U.S. Patent Office is kindly requested to contact the undersigned at the telephone number identified below.

Respectfully submitted,

Date: December 12, 2006
Reg. No.: 55,699

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